IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 38000 of 2007(W)

PETITIONER:

SAROJINI, W/O.UNNICHAYI,
MANIYAMMAD HOUSE,
CHENAKKANALANGADI, THENHIPALAM.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,**
   MALAPPURAM.

2. **THE TAHSILDAR, TIRURANGADI.**

3. **THE STATION HOUSE OFFICER,**
   THENHIPALAM POLICE STATION,
   THENHIPALAM.

4. **THENHIPALAM PANCHAYATH REPRESENTED BY**
   ITS SECRETARY, P.O. THENHIPALAM,
   MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SMT.REMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 38000 OF 2007 W
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Dated this the 19th day of December, 2007

J U D G M E N T

The petitioner is the registered owner of lorry bearing No.KL.10.J.8838. It is his case case that his lorry has been seized by the respondents on the allegation that it was engaged in the transportation of river sand. It is in this background, this writ petition has been filed praying for releasing the vehicle.

2. At this stage of the proceedings, I do not think it appropriate to interfere with the matter. In terms of Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Rules, 2002, it is the duty of the 1st respondent to pass orders within a time frame specified therein. However, it is complained that 3rd respondent has not forwarded the proceedings to the 1st respondent and hence inordinate delay is caused.

3. As at present, if the matter is pending with the 3rd

respondent, 3rd respondent shall within three days of production of a copy of this judgment forward the papers in relation to the seizure of the petitioner's vehicle to the 1st respondent. On its receipt, the 1st respondent shall pass final orders in the matter, as expeditiously as possible, within ten days thereafter with notice to the petitioner.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp